



Real People. Real Possibilities.

# Legislative Bulletin

An Official Publication of the Hilliard City Council

**Publication Date: February 9, 2020**

**Please Note: Due to current Covid-19 Restrictions, this Bulletin will be posted to the City of Hilliard Website only.**

Published under the authority of the City of Hilliard Charter and direction of the Clerk of Council. The City of Hilliard Legislative Bulletin contains ordinances and resolutions acted upon by Council. If noted within ordinance text, supplemental and supporting documents, such as exhibits, are available upon request to the Clerk of Council's office, 3800 Municipal Way, Hilliard, Ohio 43026, at 614.876.7361, Ext. 789. Past issues are available by logging onto [hilliardohio.gov](http://hilliardohio.gov)

## ORDINANCES

*This was the First Reading of this ordinance. The Second Reading/Public Hearing is scheduled for 2/22/2021.*

### **21-01 AMENDING EXHIBIT A OF CHAPTER 190 OF THE CITY'S CODIFIED ORDINANCES TO UPDATE THE COMPREHENSIVE FEE SCHEDULE AND REPEALING EXHIBIT B OF CHAPTER 190 OF THE CITY'S CODIFIED ORDINANCES.**

**WHEREAS**, Chapter 190 of City's Codified Ordinances contains various fees, including fees for the various permits, inspections, zoning applications, code enforcement and municipal services offered by the City (collectively, "municipal services"); and

**WHEREAS**, for the convenience of the public and the City, the comprehensive fee schedule for municipal services in Chapter 190 is subject to annual review by City Council; and

**WHEREAS**, it is a goal of City Council to sustain City finances thru the collection and updating of certain fees and other revenues in order to maintain a high level of municipal services; and

**WHEREAS**, the City of Hilliard is implementing new permitting software and wishes to simplify certain fees to make them easier to administer and calculate for residents and customers; and

**WHEREAS**, as shown on "Exhibit One", attached hereto and incorporated herein, the amendments are in the best interest of the City and its residents.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Hilliard, Ohio, that:

**SECTION 1.** City Council authorizes the acceptance of applications and issuance of permits for the items listed in Exhibit A of Chapter 190, as identified in "Exhibit One", **attached** hereto and incorporated herein, and finds that amending the fees listed in Exhibit A of Chapter 190 is in the City's best interests. The changes and additions to Exhibit A of Chapter 190, as shown and identified in track changes on the attached Exhibit One, are approved.

**SECTION 2.** Exhibit B of Chapter 190 regarding the separate fee schedule for homeowners who obtain Building Permits is repealed.

**SECTION 3.** All other provisions of Chapter 190, not modified herein, remain unchanged and are in full force and effect.

**SECTION 4.** This Ordinance shall be in effect from and after the earliest period provided by law.

# City of Hilliard Legislative Bulletin

an Official Publication of the Hilliard City Council

## RESOLUTIONS

*The following resolutions were passed by Hilliard City Council on February 8, 2021.*

### **21-R-10 ACCEPTING THE PUBLIC IMPROVEMENTS FOR THE HERITAGE PRESERVE SECTION 4, PHASE 1 SUBDIVISION.**

**WHEREAS**, in Ordinance No. 13-01, adopted February 25, 2013, this Council approved the Heritage Preserve PUD ("PUD") consisting of 405 single-family lots, 282 multi-family units, and 230 acres of open space; and

**WHEREAS**, as a requirement of the PUD, Ordinance No. 13-03, adopted February 25, 2013, authorized the City and Planned Development Company of Ohio and Danken, LLC (collectively, the "Owner" and the "Developer") to enter into a Developer's Agreement ("Agreement") which detailed the public infrastructure improvements that the Developer was to construct as part of the PUD; and

**WHEREAS**, in Resolution No. 20-R-71, adopted on September 28, 2020, this Council accepted by subdivision plat ("Plat") the dedication of roads and easements for the construction of public infrastructure associated with Section 4, Phase 1 of the PUD; and

**WHEREAS**, the public improvements for Heritage Preserve, Section 4, Phase 1 as identified on the above Plat, have been found to be constructed per the plans submitted to and approved by the City Engineer for each section; and

**WHEREAS**, the City conducted a final inspection of the public improvements associated with the PUD on the date shown below; and

**WHEREAS**, per Section 1191-01 of the City's Planning and Zoning Code, the Developer has posted maintenance surety for the public improvements, and the public improvements will be maintained by the Developer until the date listed below for final acceptance and full maintenance by the City of Hilliard for each section of the PUD; and

<u>Public Improvements</u>	<u>Final Inspection Date</u>	<u>Final Acceptance Date</u>
Heritage Preserve Section 4, Phases 1 & 2 Public Street, Storm Sewer, Sanitary Sewer, and Water Line Improvements (# P-905 & # P-906)	1/5/2021	1/5/2022

**WHEREAS**, it is in the best interest of the City of Hilliard and the public at large that the City accepts the public improvements as noted above.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Hilliard, Ohio, that:

**SECTION 1.** The City of Hilliard accepts the public improvements for various sections of the Heritage Preserve PUD as set forth in the following plans titled:

- "Heritage Preserve, Section 4, Phases 1 & 2 – Public Sanitary Sewer Improvements – 2017, P-905" approved by the City Engineer on December 21, 2017, which plans are on file in the office of the City Engineer and available for inspection. While the title of the plan references Phase 2, the acceptance herein is for Phase 1 only.

# City of Hilliard Legislative Bulletin

an Official Publication of the Hilliard City Council

## - RESOLUTIONS

### 21-R-10 continued:

- "Heritage Preserve, Section 4, Phases 1 & 2 – Public Street, Storm Sewer, & Water Line Improvements – 2017, P-906" approved by the City Engineer on January 18, 2018, which plans are on file in the office of the City Engineer and available for inspection. While the title of the plan references Phase 2, the acceptance herein is for Phase 1 only.

**SECTION 2.** The City Manager, Clerk of Council and City Engineer are authorized to do all acts and to execute all instruments appropriate or necessary to carrying out the terms of accepting the public improvements as provided herein.

**SECTION 3.** This Resolution is effective upon its adoption.

---

### 21-R-11 APPROVING THE AGREEMENT FOR THE CITY'S PURCHASE OF EXCESS OF LOSS COVERAGE INSURANCE AS REQUIRED BY THE OHIO BUREAU OF WORKERS COMPENSATION.

**WHEREAS**, the City of Hilliard is self-funded for purposes of providing workers compensation benefits to its employees; and

**WHEREAS**, the City, through its consultant, received quotes for excess of loss coverage for 2021 from certain vendors for claims exceeding \$500,000; and

**WHEREAS**, the City must have an excess of loss coverage policy in effect as of February 16, 2021 in order to comply with the regulations of the Bureau of Workers Compensation's self-insurance program; and

**WHEREAS**, funding for insurance in the amount of \$84,100 was provided in the 2021 Municipal Operating Budget in operating Funds including 101 and other Special Revenue Funds by Ordinance No. 20-28 effective January 1, 2021, and pursuant to Section 3.10 of the Charter of the City, authorization for this contract may be established by resolution of Council.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Hilliard, Ohio, that:

**SECTION 1.** The City Manager is hereby authorized and directed to enter into a one-year contract with Midwest Employers Casualty at an annual premium cost of \$ 84,100 for the period from February 16, 2021 to February 15, 2022, on such terms and conditions consistent with the recommendations provided by the City's consultant. This contract is subject to a one-year renewal option on the same terms and conditions.

**SECTION 2.** All monies paid under this contract will be allocated to the various personnel appropriations (Object 51) in the City's 2021 Operating Budget as passed by City Council.

**SECTION 3.** This Resolution is effective upon its adoption.

---

### 21-R-12 AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH WILLIS TOWERS WATSON TO PROVIDE PROPERTY AND CASUALTY INSURANCE AND AUTHORIZING AN EXPENDITURE.

**WHEREAS**, the City of Hilliard presently receives property and casualty insurance through its broker Willis Towers Watson; and

**WHEREAS**, the agreement with Willis Towers Watson for the provision of property and casualty insurance has a one-year term which expires February 15, 2021; and

# City of Hilliard Legislative Bulletin

an Official Publication of the Hilliard City Council

## RESOLUTIONS

### 21-R-12 continued:

**WHEREAS**, Willis Towers Watson has proposed new agreements for the provision of property and casualty insurance coverage; and

**WHEREAS**, the agreements provide for a term which expires February 15, 2021; and

**WHEREAS**, funding for insurance in the amount of \$ 199,400 was provided in the 2021 Municipal Operating Budget in Fund 101 and Fund 304 by Ordinance No. 20-28 effective January 1, 2021, and pursuant to Section 3.10 of the Charter of the City, authorization for this contract may be established by resolution of Council; and

**WHEREAS**, it is to the interest and benefit to the City of Hilliard and the public at-large that the property and casualty insurance contracts be approved.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Hilliard, Ohio, that:

**SECTION 1.** An expenditure in an amount not to exceed \$ 199,400 is authorized from Fund 101 General Government and Fund 304 Capital Improvement to fund the property and casualty insurance contract.

**SECTION 2.** The City Manager is hereby authorized to enter into a contract with Zurich American Insurance Company through its broker Willis Towers Watson, to provide property and casualty insurance at an annual premium cost not to exceed \$199,400 for the period from February 16, 2021 to February 15, 2022, on such terms and conditions consistent with the recommendations provided by the City's consultant.

**SECTION 3.** This Resolution is effective upon its adoption.

---

### **21-R-13 A RESOLUTION OBJECTING TO RENEWAL OF LIQUOR PERMIT 5752318 HELD BY MCHC MANAGEMENT, INC., HILLIARD, OHIO, AND REQUESTING A HEARING.**

**WHEREAS**, Section 4303.271 of the Ohio Revised Code requires that a municipality pass a resolution objecting to the renewal of a liquor permit within its jurisdiction and requesting a hearing before the Division of Liquor Control; and

**WHEREAS**, there are substantial legal grounds within the meaning and intent of Section 4303.292(A) of the Ohio Revised Code to support this objection.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of Hilliard, Ohio that:

**SECTION 1.** The City objects to the renewal of the D5 and D6 liquor permits held by MCHC Management, Inc. d/b/a Sports on Tap at 4030 Main Street, Hilliard, Ohio 43026.

**SECTION 2.** The City hereby requests a hearing before the Division of Liquor Control regarding its objection.

**SECTION 3.** There are substantial legal grounds within the meaning and intent of R.C. 4303.292(A) to support this objection, including, but not exclusively, that the permit holder has operated this liquor permit business in a manner demonstrating a disregard for the laws, regulations, and ordinances of the State of Ohio and the City of Hilliard, with violations including:

- repeated fights, resulting in some serious injury;
- criminal damaging;
- bartender requests for assistance with intoxicated persons that were overserved;

# City of Hilliard Legislative Bulletin

an Official Publication of the Hilliard City Council

---

## RESOLUTIONS

### **21-R-13 continued:**

- weekly Hilliard Division of Police responses in summer 2020; and
- prosecution of individuals for OVIs who admitted to drinking at this location before driving.

**SECTION 4.** The City Law Director is hereby directed to prepare a written statement in support of this objection and request for a hearing as required by the Ohio Revised Code and to file such statement along with this Resolution to the Division of Liquor Control.

**SECTION 5.** This Resolution is effective upon its adoption.

[www.hilliardohio.gov](http://www.hilliardohio.gov)